#33 MB 06/08/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Samulski, et al.

Application No.: 08/475,470

Group Art Unit: 1643

Filed: June 7, 1995

Examiner: Mosher, M.

For: ADENO-ASSOCIATED VIRUS VECTOR AND CIS-ACTING REGULATORY AND PROMOTER ELEMENTS CAPABLE OF EXPRESSING AT LEAST ONE GENE AND METHOD OF USING

Attorney Docket No.:

7639-077-999

THE SAME FOR GENE THERAPY

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Assistant Commissioner for Patents Box AF Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated November 23, 2000 of the Primary Examiner finally rejecting claims 1, 4, 7-12, 16, 17, 19-21, 25-33, 39 and 46-48 of the above-identified application.

The item(s) checked below are appropriate:

1.	\boxtimes	An extension of time for responding to the final rejection for 3
		month(s):

- □ was filed on
- is submitted herewith.
- 3. \Box A fee in the amount of \$300.00 is:
 - □ Required.
 - □ Not required (Fee paid in prior appeal).

4. Applicant has qualified for the 50% reduction in fee for an independent inventor, non profit organization or small business concern and a fee in the amount of \$150.00 is:

■ Required.

□ Not required (Fee paid in prior appeal).

5. Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Date May 22, 2000

Respectfully submitted,

30 742

(Dec No)

Laura A. Coruzzi

(Reg. No.)

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